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**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Toshio FURUKAWA

Group Art Unit: 2859

Application No.: 10/808,373

Examiner: R. Smith

Filed: March 25, 2004

Docket No.: 119235

For: IMAGE FORMING DEVICE

**STATEMENT OF SUBSTANCE OF INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A Personal Interview was conducted on December 20, 2005 between Applicant's representative and Examiner R. Smith.

During the interview, the Request For Reconsideration that was filed on November 22, 2005 was reviewed. Specifically, Applicant's representative reiterated that Nakayama does not disclose an abnormal data excluding unit.

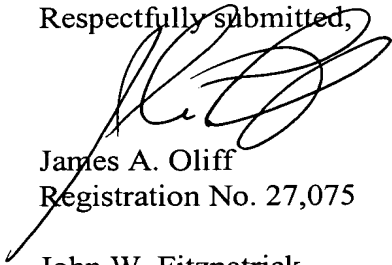
Examiner Smith was in disagreement over the disclosure of Nakayama. The Examiner indicated that he believes Nakayama does teach that the obtained data is determined to be either normal or abnormal and referred to the synchronization circuit, of the first embodiment of Nakayama, as the basis for his belief. The Examiner stated that the result of this circuit was, in his opinion, measured for abnormality.

Applicant's representative countered the Examiner's assertion by referring to Fig. 7 where Nakayama teaches a position detection patch (151) for each toner patch (152-156) to avoid detection error caused by variances in the material speed. Further, Applicant's

representative asserted that the synchronization circuit relied on by the Examiner does not detect abnormality, but merely timing of the position patches.

The Examiner agreed that he understood our argument and acknowledged that he would review the Request For Reconsideration with his peers.

Respectfully submitted,



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John W. Fitzpatrick  
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Date: January 25, 2006

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